

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KEVIN O'LEARY,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. C20-1020RSL

ORDER DIRECTING THE  
UNITED STATES TO  
ANSWER § 2255 PETITION


This matter comes before the Court on Petitioner's "Motion to Vacate, Set Aside, or Correct Sentence Pursuant to § 2255" (Dkt. # 1). After a preliminary review of the motion, the Court ORDERS as follows:

(1) No later than September 1, 2020, the United States shall file and serve an Answer in accordance of Petitioner's § 2255 Motion, the United States shall file and serve an Answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in United States District Courts. As part of its Answer, the United States shall state its position as to whether an evidentiary hearing is necessary, whether any discovery is necessary, whether there is any issue as to abuse or delay under Rule 9, and whether Petitioner's motion is barred by the statute of limitations.

(2) On the face of its Answer, the United States shall note this matter for the fourth Friday following the filing of its Answer, and the Clerk shall note the matter on the Court's docket accordingly. Petitioner may file a Reply to the Answer no later than that noting date.

1 The Clerk shall direct a copy of this Order to Petitioner.

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3 DATED this 14<sup>th</sup> day of July, 2020.

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6 Robert S. Lasnik  
7 United States District Judge  
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